



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.1787 of 2018

M.Parvathy

... Petitioner

-vs-

1.The Superintendent of Police
Thoothukudi District
Thoothukudi

2.The State of Tamil Nadu
rep.by The Inspector of Police
Athoor Police Station
Thoothukudi District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus to direct the 2nd respondent to produce the petitioner's husband namely A.Mariappan, S/o.Andi, Aged 60 years, or his body before this Court and set him liberty.

For Petitioner: Mr.C.Vakeeswaran

For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor

O R D E R

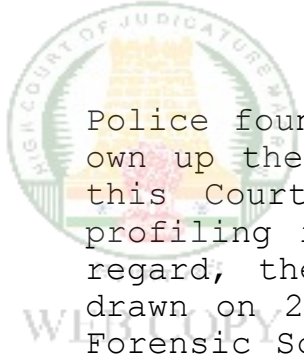
[Order of the Court was made by P.N.PRAKASH, J.]

Today, Mr.M.Ramesh, Special Sub-Inspector of Police, Athoor Police Station, Thoothukudi District, is present.

2. It is the case of the petitioner that her husband Mariappan, aged about 60 years, went missing since 25.06.2018 and on the complaint given by the petitioner, a case in Athoor Police Station Crime No.84 of 2018 for man missing has been registered. Not satisfied with the progress of the investigation, the petitioner has filed the present habeas corpus petition.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The learned counsel for the petitioner submitted that the



Police found a decomposed body of a man and asked the petitioner to own up the same. He has also contended that on the directions of this Court, the Police have now taken steps to conduct D.N.A. profiling in order to find out the identity of the body. In this regard, the blood samples of the petitioner and her son have been drawn on 29.01.2019 and the same have been sent to the Tamil Nadu Forensic Sciences Laboratory for D.N.A. profiling and the result is awaited. The Police have also filed a status report, dated 28.02.2019, detailing the steps that are being taken by them to trace the alleged detenu. Since the alleged detenu is not in the illegal confinement of anyone, no writ of habeas corpus can be issued. However, if the D.N.A. report is negative, the respondent - Police are directed to proceed further with the investigation in Crime No.84 of 2018 and keep the petitioner informed of the developments, if any, from time to time.

4. With the above observations, the habeas corpus petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

Sub Assistant Registrar

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To:

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
Athoor Police Station,
Thoothukudi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.C.VAKEESWARAN , Advocate SR.No.47521.

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